

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LP MATTHEWS, L.L.C.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-1507 (SLR)
)	Honorable Sue L. Robinson
BATH & BODY WORKS, INC.,)	JURY TRIAL DEMANDED
and)	
LIMITED BRANDS, INC.,)	
and)	
KAO BRANDS CO. (f/k/a THE ANDREW)	PUBLIC VERSION
JERGENS COMPANY),)	FILED: JULY 11, 2006
and)	
KAO CORPORATION,)	DATED: JULY 3, 2006
)	
Defendants.)	

**DECLARATION OF DAVID M. HILL, ESQ. IN SUPPORT OF THE OPENING BRIEF
IN SUPPORT OF DEFENDANTS BATH & BODY WORKS, INC. AND LIMITED
BRANDS, INC.'S MOTION FOR SUMMARY JUDGMENT FOR LACK OF STANDING**

I, David M. Hill, hereby declare as follows:

1. I am a partner of Ward & Olivo, counsel of record in this action for Defendants Bath & Body Works, Inc. and Limited Brands, Inc. (collectively referred to as the "Limited Defendants"). I am a member of the Bar of the State of New York and have been admitted *pro hac vice* to represent the Limited Defendants in this action. I have personal knowledge of the matters stated in this declaration and would testify truthfully if called upon to do so.
2. Attached hereto as Exhibit A is a true and correct copy of an Assignment of Patent Application, dated July 12, 1990.
3. Attached hereto as Exhibit B is a true and correct copy of the Minutes of Board and Directors and Shareholders Meeting for The GreenSpan, Company, dated July 31, 1990.

4. Attached hereto as Exhibit C is a true and correct copy of LP Matthews, L.L.C.'s Limited Liability Company Operating Agreement, dated January 2004.

5. Attached hereto as Exhibit D is a true and correct copy of a March 2004 Patent Assignment Agreement.

6. Attached hereto as Exhibit E is a true and correct copy of an Assignment *Nunc Pro Tunc*, dated March 15, 2004.

7. Attached hereto as Exhibit F is a true and correct copy of a Patent Assignment, dated March 15, 2004.

8. Attached hereto as Exhibit G is a true and correct copy of a September 2004 letter from Douglas Greenspan to Phillip Low.

9. Attached hereto as Exhibit H is a true and correct copy of the cover page from the Articles of Incorporation of the Greenspan Corporation as filed with the State of Colorado, Department on State on July 16, 1990.

10. Attached hereto as Exhibit I is a true and correct copy of the Certificate of Incorporation to the Greenspan Corporation, dated July 16, 1990.

11. Attached hereto as Exhibit J is a true and correct copy of a printout from the Greenspan Company/Adjuster International's website.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed at New York, New York, this 3rd day of July, 2006.



David M. Hill

EXHIBIT A

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, Douglas H. Greenspan, 200 Lois Circle, Louisville, Colorado 80027 ("Greenspan") and Phillip A. Low, 7829 West Portland Avenue, Littleton, Colorado 80123 ("Low") have invented certain new and useful products entitled "Cleaning Compositions With Orange Oil" for which an application for United States patent was filed on September 27, 1989, Serial No. 07/413,395, and

WHEREAS, Phillip A. Low desires to relinquish all his right, interest and title in the Cleaning Composition's patent application.

NOW, THEREFORE, in consideration of the promise to pay the sum of Three Thousand Dollars (\$3,000.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, Low by these presents does sell, assign and transfer unto Greenspan and William J. Ingram ("Ingram") the full and exclusive right to the Cleaning Compositions invention in the United States and all countries foreign to the United States and the entire right, title and interest in and to any and all patent that may be granted therefor in the United States and all countries foreign to the United States.

NOW, THEREFORE, Low hereby authorizes and requests the Commissioner of Patents and Trademarks to issue patent to Greenspan and Ingram, as the assignees of the entire right, title, and interest in and to the same, for their sole use and benefit, to the full end of the term for which patent may be granted, as fully and entirely as the same would have been held by me had this assignment not been made.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed our seal on the date set forth hereinafter.

Date: July 12, 1990


Phillip A. Low

STATE OF COLORADO)
)
COUNTY OF JEFFERSON)

RECEIVED
JUL 26 1990

Given under my hand and seal of office this 12th day of
July, 1990.

David L. Culbert
Notary Public
44 Mason Road Suite 600
Address
Shelwood Co 80228
City, State

NOTARIAL SEAL

My Commission expires:

June 22, 1992

RECORDED
PATENT AND TRADEMARK
OFFICE

SEP - 7 1990

MS426 HWS02

EXHIBIT B

REDACTED

EXHIBIT C

REDACTED

EXHIBIT D

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EXHIBIT E

REDACTED

EXHIBIT F

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EXHIBIT G

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EXHIBIT J

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We're professional loss consultants who work exclusively for you. Having us on your side eliminates the inherent conflict of interest that exists when one person represents both you and your insurance company. Personalized service and proven expertise are the hallmarks of our reputation: Your successful financial recovery after a disaster is always our top priority.

We have offices in Los Angeles, San Francisco, Irvine, Sacramento, San Jose, San Diego, and Dublin, California; Las Vegas, Nevada; and Phoenix, Arizona. We are experienced with the types of natural disasters that strike, the companies that insure them, and how claims are handled. We have the resources and expertise to thoroughly investigate your loss, accurately prepare, document and submit your claim, and get you a full, fair and expedited settlement.

Our firm was founded in 1946 in Los Angeles by Sidney Greenspan, whose dedication to personalized customer service quickly became legendary throughout the region. In 1985 our firm, along with a group of leading public adjusting firms in the United States, Canada and the United Kingdom, foresaw the need for an international network of highly skilled public adjusters who could bring specific expertise to servicing any type of loss, anywhere, at any time. Adjusters International was the result.

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